

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 41 – HB 144

March 31, 2015

SUMMARY OF ORIGINAL BILL: Creates a task force for the purpose of reviewing and proposing a process to implement e-filing of documents in the state court system and to recommend any necessary statutory revisions and any funding required to effectuate e-filing in state courts. Creates a second task force for the purpose of reviewing and proposing any necessary statutory revisions regarding the appointment of counsel for indigent defendants.

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$1,300/Each One-Day Meeting of E-Filing Task Force
\$1,300/Each One-Day Meeting of Indigent Defendants Task Force

SUMMARY OF AMENDMENT (005610): Deletes all language after the enacting clause.

Creates a task force to review the composition of Tennessee's current judicial districts. Creates a joint legislative committee on judicial redistricting.

Creates a task force to study prosecutions involving public corruption and prosecutorial discretion.

Adds a severability clause.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Increase State Expenditures – **\$3,600/Task Force on Judicial Districts**
\$3,400/Each Meeting of the Joint Committee on Judicial Districts
\$1,400/Each Meeting of Task Force on Public Corruption and Use of the Attorney General

Assumptions for the bill as amended:

- The task force to review judicial districts will be comprised of 13 non-legislative members. Six will be appointed by the Speaker of the Senate, and six will be appointed by the Speaker of the House of Representatives. One member will be jointly appointed by the speakers.

- Three members shall be current trial court judges. Three members shall be current district attorneys general. Three judges shall be current public defenders. One member from each group shall be from each grand division. The non-legislative members will receive travel reimbursement.
- It is assumed that the jointly appointed member will be from the middle division. The task force will have three members from the west division of the State, three members from the east division of the State, and four members from the middle division of the State.
- There shall be at least one meeting of the task force in each grand division.
- It is assumed that the six members from the eastern and western grand divisions will each make a trip to the middle grand division which will be approximately 297 miles roundtrip and one trip across the state, approximately 594 miles roundtrip. Each member will travel approximately 891 miles. The travel reimbursement rate is \$0.47 per mile. The cost for the members of the east and west grand divisions will be \$2,513 (6 members x 891 miles x \$0.47).
- It is assumed that the four members from the middle grand division will take two trips each approximately 297 miles roundtrip for a total mileage of 594 miles (297 miles x 2 trips). The cost for the members of the middle grand division will be \$1,117 (4 members x 594 miles x \$0.47).
- The total cost will be \$3,630 (\$2,513 + \$1,117).
- The 10 legislative members serving on the joint legislative committee on judicial districts will receive \$198 per diem for each meeting and travel reimbursement (297 miles at \$0.47 per mile). The cost for one legislator to attend a meeting is \$337.59 [\$198 per diem + (297 miles x \$0.47)]. Each meeting of the joint legislative committee on judicial districts will increase expenditures by \$3,376 (10 members x \$337.59).
- The task force on public corruption and prosecutorial discretion will consist of two members from the House of Representatives, two members from the Senate, a designee of the director of the Tennessee Bureau of Investigation, a former district attorney general, and a judge of the court of criminal appeals.
- It is assumed that the meetings of this task force will occur in the middle division of the State and that the three non-legislative members of the task force will be from the middle division of the State. The travel costs for the non-legislative members are assumed to be not significant.
- The cost for the legislative members to attend a meeting of the task force is \$337.59 [\$198 per diem + (297 miles x \$0.47)] per member. Each meeting of the task force on public corruption and prosecutorial discretion will increase expenditures \$1,350 (\$337.59 x 4 members).

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Jeffrey L. Spalding, Executive Director

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